

Appln No. 09/755,847
Amdt date August 17, 2004
Reply to Office action of March 11, 2004

REMARKS/ARGUMENTS

Claims 2-6, 8-12, and 14-20 are pending. Claims 1, 7, and 13 are cancelled, and new claims 18-20 are added.

The drawings are objected to as not in the description the reference signs 400, 402, 404, 406, 408, 410, 412, 414, 416, and 418 of Figure 4. The specification is amended to include all the above-mentioned reference signs of Figure 4. No new matter is added. Accordingly, it is respectfully requested that the above-mentioned objection be withdrawn.

Claims 3, 9 and 16 are objected to because the term "one or more of the group of" should be stated as "one or more of the group consisting of." Claims 3, 9 and 16 are amended to include the above suggested language. Therefore, it is respectfully requested that the above-mentioned objections be withdrawn.

Claims 1-3, 5-9, 11-17 are rejected as being fully anticipated by Combar et al. (U.S. 6,470,386); and claims 4 and 10 are rejected as being obvious over Combar, in view of Martenson (U.S. 6,219,708). Applicant submits that all of the pending claims in this application are patentable over the cited references, and reexamination and reconsideration of the rejections and allowance of this application are respectfully requested.

New independent claim 18 includes the limitation of "an optical Wavelength Division Multiplexing (WDM) network arranged in a manner such that at least management of an optical-electrical-optical switch structure in the optical network is effected utilising TCP/IP communication protocols."

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Combar does not disclose a WDM optical network, the WDM network having an optical-electrical-optical switch structure, or that management of the optical-electrical-optical switch structure is effected utilising TCP/IP protocols. As a result, new independent claim 18 is not anticipated by Combar.

Additionally, none of the cited prior art references discloses a WDM optical network. Further, none of the cited references discloses the WDM network having an optical-electrical-optical switch structure, or that management of the optical-electrical-optical switch is effected utilising TCP/IP protocols.

Furthermore, there is no suggestion made or motivation given in any of the cited references that would lead one of ordinary skill in the relevant art to combined the cited references to arrive at the present invention as claimed in new independent claim 18. Accordingly, new independent claim 18 is allowable over the cited references. Dependent claims 2-6 are dependent from independent claim 18 and include all the limitations of independent claim 18 and additional limitations therein. Thus, these claims are also allowable over the cited references, as being dependent from allowable independent claim and for the additional limitations they include therein.

Similarly, new claims 19 and 20, which include features corresponding to the features discussed above with reference to new claim 18, and their dependant claims 8 to 12 and 14 to 17 respectively are patentable over the cited prior art.

In view of the foregoing amendments and remarks, it is respectfully submitted that this application is now in condition

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for allowance, and accordingly, reexamination and allowance are respectfully requested.

Respectfully submitted,

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RRT/clv

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